

## RULE I

### MEETINGS OF THE BOARD

- SECTION 1: The board shall hold one regular meeting within each quarterly period of the fiscal year. The board shall hold such special meetings as may be called by the chairman or as provided in Article 2536, Section (M) of the Civil Service Act.
- SECTION 2: Unless otherwise provided in the notice for such meetings, all meetings shall be held at 7:30 p.m. at the City Hall, 6437 Jefferson Highway, Harahan, Louisiana.
- SECTION 3: Notice of all meetings shall be given by posting such notices on the city hall bulletin board, fire, and police bulletin boards, not less than ten (10) days before the date fixed for such meeting, unless otherwise provided by law. Such notice shall state the time, place, and subject matter to be covered, and whether said meeting is regular or special.
- SECTION 4: Special meetings of the board will be held only upon call of the chairman, or in his absence, the vice-chairman, or as provided by Article 2536, Section (N) of the Civil Service Act.
- SECTION 5: All board meetings shall be open to the public, except when the board meets in executive session.
- SECTION 6: All board members must be notified in writing not less than ten (10) days preceding all regular board meetings.

## RULE II

### SUBJECT MATTER OF MEETINGS

- SECTION 1: At regular meetings of the board it shall consider all new and old business which may be brought to its attention in the manner hereinafter provided.
- SECTION 2: At special meetings the board shall consider only those items of business for which the meeting was called.

## RULE III

### ORDER OF BUSINESS

SECTION 1: At regular meetings the order of business shall be as follows:

1. Reading of the minutes.
2. Special and general reports.
3. Decisions and orders on matters considered at previous hearings and meetings.
4. Unfinished business.
5. New business.

SECTION 2: At special meetings the order of business shall be as follows:

1. Reading of the minutes.
2. Decisions and orders on matters considered at previous hearings and meetings.
3. Hearing of matters previously fixed for the special meeting.

#### RULE IV

#### EXECUTIVE SESSIONS

SECTION 1: The board, if required, will meet in executive session when considering sensitive matters, when grades or scores are considered from testing, or when any matter or hearing is conducted when a juvenile is the party involved.

SECTION 2: The board, if required, will meet in executive session upon request of the majority of board members. All voting on matters discussed in executive sessions will be conducted upon return to public meeting.

#### RULE V

#### APPLICATION FOR APPEALS AND HEARINGS

SECTION 1: Any person authorized to appeal to the board under the provisions of The Civil Service Law may apply for such an appeal by a written notice giving a clear and concise statement of the action complained against, the basis of the appeal, and the relief sought. Application for appeals to the board under the provisions of R.S. 33:2501 of the Civil Service Law shall be made only by regular employees in the classified service and shall be limited to matters involving discharge, corrective, or disciplinary action and

the application shall so state. All other request for hearings shall set forth the section of the Civil Service Law under which the application is brought and shall contain a statement of the jurisdiction which the application is brought and shall contain a statement of the jurisdiction of the board. All applications for appeals and other hearings must be signed by applicant or his counsel, if any, and must give the full name and post office address of the applicant and of his counsel. Written notice shall be filed with any member of the board. An additional copy shall be furnished the board for service on the authority or person against whom action the appeal is taken, if any.

- SECTION 2: No appeal shall be effective unless the above stated notice is filed within fifteen (15) days following the action complained against, or where written notice is given of an action to be thereafter effective, within the fifteen (15) days following the date on which such notice is given.
- SECTION 3: The secretary of the board shall cause the date of filing to be noted on each notice of appeal and shall file said appeal on the appeals docket, giving the said appeal an appropriate title.
- SECTION 4: All hearings on appeals shall be open to the public.
- SECTION 5: Parties shall have the right, but shall not be required, to be represented by counsel. When any party is represented by more than one attorney, only one attorney for any party shall be permitted to examine the same witness.
- SECTION 6: The burden of proof as to the facts shall be on the appointing authority, except in those cases when the employee alleges discrimination based on political or religious beliefs, sex, or race. In every appeal the appointing authority shall be required to open the case.
- SECTION 7: The rules of evidence as applied in civil trials before the courts of this state need not be strictly complied with, but the board shall limit evidence to matters having a reasonable relevance to the issues before the board.
- SECTION 8: Parties and witnesses shall be subject to cross-examination as in civil trials. The board looks with favor upon stipulations of undisputed

facts.

- SECTION 9: The board may fix total time permitted for all arguments and may require written briefs to be submitted on the issue presented.
- SECTION 10: The board may, on request of any party or on its own motion, place witnesses other than parties under the rule of the board and thus exclude them from the hearing room.
- SECTION 11: Any party desiring the issuance of a subpoena for the attendance of a witness or the production of books or papers must apply for appropriate order to the board in writing at least eight (8) days before the time fixed for the hearing.
- SECTION 12: The written rules, regulations, and procedures of the civil service board and Revised Statute 33:2471 and those that follow will be the basis for all hearings and appeals.
- SECTION 14: The board may fix total time permitted for all argument and may require written briefs to be submitted on the issue presented.
- SECTION 16: The written rules, regulations and procedures of the civil service board and civil service laws will be the basis of all hearings and appeals.

#### **RULE VI**

##### **DISMISSAL OF APPEALS**

- SECTION 1: If the appellant fails to appear at the place and time fixed for any hearing, his appeal may be dismissed or the civil service board may, in its discretion, continue the case or proceed with the hearing and render its decision upon such evidence as may be adduced at the hearing.

#### **RULE VII**

##### **TRANSCRIPTS OF HEARINGS**

- SECTION 1: If any party to the hearing desires a permanent transcript of the hearing, he/she shall furnish a court reporter for said purpose at his own expense. Where a court reporter is furnished, the original of the transcript shall be filed with the board and shall become part of the permanent record of the appeal. Where no court

reporter is furnished, the secretary of the board shall maintain as complete notes as is feasible, and the board shall issue a finding fact.

**RULE VIII****OTHER HEARINGS**

SECTION 1: All other hearings of the board shall be instituted and shall be conducted in accordance with the above and foregoing rules concerning appeals to the board so far as possible, provided however, that as to notice, public nature of hearings, etc., requirements of The Civil Service Law shall prevail in hearings or other matters within the jurisdiction of the board, such as establishment of new employment lists, amendments or revisions of classification plans, or investigations.

**RULE IX****APPLICATION FOR ADMISSION TO TEST**

SECTION 1: Test for entry upon promotional and competitive employment list shall be advertised for and administered in accordance with Section 22 of the Civil Service Act. Test for entrance upon competitive employment list may be given as the needs of the service require. Test for entry upon promotional employment list may be given after any existing list is twelve (12) months old or expires.

SECTION 2: Applications for admission to test will be received on board-approved forms by the departmental board member at any time up to thirty (30) days after posting of a notice fixing said test date, which thirty (30) day period shall end not less than six (6) days in advance of the date fixed for the test. The departmental board member receiving such applications will forward such applications to the board secretary for maintenance of the list established pursuant to such test shall be kept as a permanent record of the board in accordance with the Civil Service Act.

SECTION 3: Promotional and competitive employment list shall be maintained by the board for Twelve (12) and eighteen (18) months, respectively.

SECTION 4: Admission to test shall be governed by provisions of Section 23 of the Civil Service Act.

SECTION 5: When results of any examination are furnished to the board by the State Examiner, the chairman or

, in his absence, vice chairman shall forthwith call the board into executive session for approval thereof. Employment list shall become effective upon approval of and by a majority of the board and filing of the same by the board with the State Examiner.

#### **RULE X**

##### **DISTRIBUTION OF BOARD RULES**

SECTION 1: A copy of the board rules shall be distributed to each board member, governing body two (2) copies, city chief of police one (1) copy, city fire chief, police, and fire bulletin boards one (1) copy, and State Examiner one (1) copy, and each member of the classified service one (1) copy.

SECTION 2: A copy of the board rules shall be given on request to an appellant or his counsel prior to hearing.

#### **RULE XI**

##### **MAXIMUM HOURS, LEAVES OF ABSENCE, AND HOLIDAYS**

###### **SECTION 1: MAXIMUM HOURS - POLICE**

The maximum hours of work required of any member of the classified service, except those employed in a position, grade, or class above that of Captain shall be forty (40) hours in one calendar week, and eight (8) hours any one (1) day. Hours worked in excess of eight (8) in one (1) day or forty (40) hours in any calendar week shall be paid at the rate of one and one-half (1 1/2) his usual salary to be determined by reducing his monthly salary plus state supplemental pay to an hourly rate.

###### **SECTION 2: MAXIMUM HOURS - FIRE**

The maximum hours of work required of any member of the classified service shall be fifty-six (56) hours in any one calendar week. In cases of emergencies, employees may be required to work in excess of the maximum hours. For each hour so worked in excess of fifty-six (56) hours in any calendar week, a firefighter shall be paid at the rate of one and one half (1 & 1/2) times his usual salary, to be determined by reducing his average monthly salary plus supplemental pay to an hourly scale.

###### **SECTION 3: LEAVES OF ABSENCE - POLICE AND FIRE**

- A. Leaves of absence are classified as follows:
1. Leave of absence with pay.
  2. Leave of absence without pay.
  3. Absence without leave and pay.
- B. Sick Leave
- Each employee of the classified service shall be entitled to and given, with full pay, sick leave aggregating not less than fifty-two (52) weeks during any calendar year for any sickness or injury or incapacity not brought about by his own negligence or culpable indiscretion. Any employee of the classified service who draws such full pay during sick leave shall have such pay decreased by the amount of workmen's compensation benefits actually received by such employee. Classification of leave of absence for the forementioned will be "Leave of Absence with Pay."

Sick leave may not be used for absences incurred because of attendance to personal affairs.

When an employee of the classified service is ill and cannot report for duty, it is his responsibility to notify his supervisor or the person designated by the chief of the department not later than two (2) hours before he is scheduled to report for duty. Failure to call, as indicated above will result in the forfeit of pay as it is classified as "Absence Without Leave and Pay".

Should any illness last longer than three (3) days, the employee is required to submit a doctor's certificate if requested by the chief indicating the illness or condition which justified his absence, as well as the probable duration of the illness. For failure to produce a doctor's certificate for any illness over three (3) days, the employee will be classified as "Absent without Leave and Pay."

Should any employee of the classified service frequently or consistently absent himself before or after his scheduled days off or at any other time, he will be required to submit a doctor's certificate should the absence be for only one (1) day, if requested by the chief.

All medical or doctor's certificates received by the chief of the department or by any person designated by him will be placed in the employee's personnel records, available for review by the board.

- C. Illness in Immediate Family
- Each employee of the classified service shall have "Leave of Absence with Pay" up to four (4) days per



year for serious illness in the immediate family. The employee is required to submit a doctor's certificate indicating the illness or condition which justified his absence. "Immediate Family" means father, mother, spouse, and children.

Additional leave may be granted and charged against annual leave.

If an employee of the classified service has an illness in his immediate family and cannot report for duty, it is his responsibility to notify his supervisor or the person designated by the chief of the department not later than two (2) hours before he is scheduled to report to duty.

D. Death in Family

Each employee of the classified service shall be granted "Leave of Absence with Pay" up to four (4) days because of death in the immediate family.

In the case of death of a sister, brother, grandchild, aunt, uncle, nephew, niece, cousin, grandparent, or in-law one (1) day "Leave of Absence with Pay" may be granted.

If an employee of the classified service has a death in his family and cannot report for duty, it is his responsibility to notify his supervisor or the person designated by the chief of the department not later than two (2) hours before he is scheduled to report for duty.

E. Examinations

Each employee of the classified service will be granted "Leave of Absence with Pay" to take any Municipal Fire and Police Civil Service examination.

Provisional employees are granted "Leave of Absence with Pay" to take a Municipal Fire and Police Civil Service examination for the class that they hold provisionally.

F. Jury Duty

Absence because of jury duty is Leave of Absence with Pay". However, the jury notice must be presented to the chief of the department or the person designated by the chief to receive such notice at least five (5) days in advance of such jury duty. In addition, the employee will be required to turn over to the city all jury fees that he receives.

G. Court Attendance

Attendance in court on department business is with pay

provided that the attendance is ordered by subpoena or other court order. Should any employee of the classified service be required to be in attendance in court on his off time, such time shall be considered as time worked or on duty.

Attendance in court on personal business may be charged to annual leave or "Leave of Absence without Pay."

Each member of the classified service must present to the chief of the department or the person designated by him, upon request, any such notice to appear in court.

H. Military Leave with Pay

Members of the classified service who are members of the National Guard or one of the Armed Force Reserve units are entitled to a maximum of fifteen (15) calendar days annually for ordered duty. Classification of leave of absence for the fore mentioned will be "Leave of Absence with Pay".

Each member of the classified service shall give such notice of ordered duty at least thirty (30) calendar days in advance to the chief of the department and this board if known by him. Should the employee be called out on an emergency basis, he should contact his supervisor, the chief of the department, or the person designated by him to receive such notice.

I. Military Leave without Pay

Any member of the classified service called into the Armed Forces will be carried on military leave without pay until he returns to duty. The employee is required to notify the chief of the department or the person designated by him to receive such notice and this board when he receives such notice.

Any member of the classified service called into the Armed Forces will be allowed to take whatever annual leave to which he is entitled.

Provisional employees will not be granted a military leave of absence. They shall be required to resign or be dropped from service.

Any member of the classified service who is a member of the National Guard or in the Reserves of the Armed Forces, upon being ordered to active duty, shall be given any leave due the employee in Section H. Should the employee have used all leave entitled to in Section H, he shall be granted military leave without pay.

J. Educational Leave

Any member of the classified service who is sent to school or training classes by the department or the city shall be granted "Leave of Absence with Pay."

K. Personal Time Off

Each member of the classified service may apply to the board for "Leave of Absence without Pay" with the recommendation of the chief of the department for personal time off, when such time off will exceed two (2) days.

Each member of the classified service may apply to the chief of the department, for personal time off, when such time off will not exceed two (2) days and this leave is classified as "Leave of Absence without Pay."

Any member of the classified service taking personal time off without applying for same, shall be considered as "Absent without Leave or Pay".

L. Annual Leave - Police and Fire

Each employee of the classified service after having served one (1) year, shall be entitled to an annual vacation of eighteen (18) working days with full pay. This vacation period shall be increased one (1) day for each year of service over ten (10) years, up to a maximum vacation period of thirty (30) days, all of which shall be with full pay.

Each employee of the classified service who has not served one (1) year with the department, and who is separated from the service, shall be entitled to and given with full pay one and one-quarter (1) days for each thirty (30) days worked.

M. Notwithstanding any other provisions of Rule XI, Section 3, the appointing authority is authorized to place any member of the classified service on administrative leave with pay while an investigation is ongoing not to exceed 15 days. Beyond 15 days, the appointing authority must apply for approval from the board.

N. Family Medical Leave

Each full-time employee of the classified service after having served one (1) year, shall be entitled up to twelve (12) weeks of unpaid leave, without credit for departmental seniority when appropriate documentation is supplied to the Appointing Authority for those reasons provided by Public Law 103-3 (Family and Medical Leave Act of 1993).

An employee will be required to first exhaust any or all compensatory time and any or all accumulated leave time before being granted unpaid leave without seniority.

O. Leave for Specialized Disaster Service Volunteer

1. Any employee who is a trained disaster volunteer of the American Red Cross may be granted leave from his regular work assignments, with pay, and without loss of seniority, annual leave, sick leave, or earned overtime or compensatory time accumulation, for any period not to exceed fifteen (15) work days in any twelve (12) month period, to participate in specialized disaster relief services for disasters designated at Level III or above in the American Red Cross Regulations and Procedures.
2. Leave may be granted upon written request of the employee to the appointing authority which shall include certification of the employee as a trained American Red Cross disaster volunteer, the nature and location of the disaster, anticipated duration of the leave, nature of services required, certification by an official of the American Red Cross that the employee's services are needed, and the identity and title of the official of the American Red Cross to whom the employee is to report.

SECTION 4: HOLIDAYS

All holidays extended to employees of the City of Harahan shall also be granted to each member of the classified service as "leave of absence with pay" but shall never be less than the following legal holidays:

- a) New Year's Day
- b) Mardi Gras Day
- c) Independence Day
- d) Labor Day
- e) Thanksgiving Day

HR	09-11-67	06-03-96
Rev	06-23-69	
	12-14-76	
	06-01-79	
	08-17-79	
	06-26-81	
	06-25-84	
	09-13-88	
	06-05-89	
	07-12-90	
	06-26-95	

- f) Christmas Day
- g) National Memorial Day
- h) Good Friday
- i) Employee's Birthday

Should a member of the classified service work assignment be such that he is scheduled to work on a legal holiday as set by this board, he will be paid an additional compensation of one and one-half (1) times his usual pay rate. When a holiday occurs on an employee's rest day, the following work days will be considered his holiday. In the week in which a holiday occurs the employee's work week will be reduced by eight (8) hours. The employee will be paid in such weeks for forty hours for thirty-two (32) hours worked. However, governing authorities may grant compensatory time off in lieu of additional compensation.

HR	09-11-67	06-03-96
Rev	06-23-69	
	12-14-76	
	06-01-79	
	08-17-79	
	06-26-81	
	06-25-84	
	09-13-88	
	06-05-89	
	07-12-90	
	06-26-95	